

1 **STATE ARMORY BOARD AMENDMENTS**

2 2003 GENERAL SESSION

3 STATE OF UTAH

4 **Sponsor: Don E. Bush**

5 **This act modifies the Militia and Armories title by requiring the State Armory Board to**
6 **notify the Legislature prior to certain transactions and by repealing obsolete sections.**

7 This act affects sections of Utah Code Annotated 1953 as follows:

8 AMENDS:

9 **39-2-2**, as last amended by Chapter 107, Laws of Utah 1990

10 REPEALS:

11 **39-2-3**, Utah Code Annotated 1953

12 **39-2-4**, Utah Code Annotated 1953

13 **39-2-5**, Utah Code Annotated 1953

14 **39-2-6**, as last amended by Chapter 64, Laws of Utah 1953

15 *Be it enacted by the Legislature of the state of Utah:*

16 Section 1. Section **39-2-2** is amended to read:

17 **39-2-2. Powers of State Armory Board.**

18 (1) The board shall supervise and control the armories and arsenals, and all real
19 property held or acquired for the military purposes of the state.

20 (2) The board may:

21 (a) provide suitable armories and arsenals for the different organizations of the
22 National Guard;

23 (b) lease buildings for armory and arsenal purposes throughout the state wherever
24 necessary for the use of organizations of the National Guard and for the storage of state and
25 government property at [~~such~~] a rental [~~as it~~] that the board considers reasonable;

26 ~~[(c) take options for the purchase of any premises under lease to the state for armory~~
27 ~~and arsenal purposes at any time within the life of such lease when the purchase is in the state's~~



28 interest, and at such prices as the board and the owner of such premises may agree upon;
29 provided that no option is binding upon the board until ratified by act of the Legislature;]

30 [~~(d)~~] (c) erect armories and arsenals at [~~such~~] places within the state [~~as~~] that it
31 considers necessary upon lands to which it has acquired the legal title; and

32 [~~(e)~~] (d) expend military funds [~~as it considers advisable and necessary in the hands of~~
33 ~~the state treasurer~~] to acquire legal title to lands and to construct armories and arsenals.

34 (3) (a) Subject to Subsection (3)(b), the board may take options for the purchase of any
35 premises under lease to the state for armory and arsenal purposes:

36 (i) at any time during the life of the lease; and

37 (ii) when the purchase is in the state's interest.

38 (b) An option is not binding upon the board until it is approved by the Legislature.

39 (4) (a) Subject to Subsection (4)(b), the board may sell armories and army premises
40 within Utah.

41 (b) The board shall notify the chairs of the Executive Appropriations Committee and
42 the Office of the Legislative Fiscal Analyst at least 30 days before entering a binding agreement
43 to:

44 (i) sell any armory or army premises;

45 (ii) sell any real property interests owned by the National Guard; or

46 (iii) acquire any interests in real property.

47 (c) The proceeds from the sales of armories and army premises under Subsection (4)(a)
48 shall be appropriated to the State Armory Board to be applied toward the construction of new
49 armories.

50 **Section 2. Repealer.**

51 This act repeals:

52 **Section 39-2-3, Construction of National Guard armories.**

53 **Section 39-2-4, Order of construction of armories.**

54 **Section 39-2-5, Sale of Bountiful, Beaver and Provo armories -- Disposition of**
55 **proceeds.**

56 **Section 39-2-6, Sale of armories and armory premises -- Disposition of proceeds.**

Legislative Review Note
as of 11-20-02 5:09 PM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Interim Committee Note
as of 12-12-02 3:27 PM

The Government Operations Interim Committee recommended this bill.

Fiscal Note

State Armory Board Amendments

24-Jan-03

Bill Number HB001510:18 AM

State Impact

Fiscal resources required to implement provisions of this bill can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst